

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Bernie Darst

Plaintiff,

v.

Acosta Sales and Marketing, et al.

Defendants.

) Case No.: 3:15-CV-056  
)  
) Judge Thomas Rose  
)  
) **ORDER OF DISMISSAL:**  
) **TERMINATION ENTRY**  
)  
)  
)  
)  
)

The Court having been advised by counsel for the parties that the above matter has been settled, IT IS ORDERED that this action is hereby DISMISSED, with prejudice as to the parties, provided that any of the parties may, upon good cause shown within 60 days, reopen the action if settlement is not consummated.

Parties may submit a substitute Judgment Entry once settlement is consummated. Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry.

The Court will retain jurisdiction to enforce the terms of the settlement between the parties, if necessary.

IT IS SO ORDERED.

October 6, 2016

\*s/Thomas M. Rose

---

Honorable Thomas M. Rose  
United States District Judge